

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,

Plaintiff,

VS.

EDWARD J. O'NEILL,

Defendant.

8:07CR288

ORDER

This matter is before the court on the defendant's motion for additional time to file pretrial motions [13]. For cause shown, and upon the representation that the government does not object, the court finds that the motion should be granted.

IT IS ORDERED that the motion [13] is granted, as follows:

1. The deadline for filing pretrial motions is extended to **November 5, 2007**.
2. In accordance with 18 U.S.C. § 3161(h)(8)(A), the court finds that the ends of justice will be served by granting this motion and outweigh the interests of the public and the defendant in a speedy trial. Any additional time arising as a result of the granting of this motion, that is, the time between **October 4, 2007 and November 5, 2007**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act for the reason that counsel require additional time to adequately prepare the case, taking into consideration due diligence of counsel and the novelty and complexity of this case. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(8)(A) & (B)(iv).
3. Defendant shall file an affidavit or declaration regarding speedy trial in accordance with NECrimR 12.1 and/or 12.3 no later than **October 11, 2007**.

DATED October 4, 2007.

BY THE COURT:

s/ F.A. Gossett
United States Magistrate Judge